



**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

Caption in Compliance with D.N.J. LBR 9004-1(b)

FOX ROTHSCHILD LLP

49 Market St.

Morristown, NJ 07960

Joseph J. DiPasquale, Esq.

Michael R. Herz, Esq.

Joseph A. Caneco, Esq.

jdipasquale@foxrothschild.com

mherz@foxrothschild.com

jcaneco@foxrothschild.com

Telephone: (973) 992-4800

Facsimile: (973) 992-9125

Counsel to the Debtor and Debtor in Possession

In re:

ASSUNCAO BROS., INC.,

Debtor.

Order Filed on January 3, 2023
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Chapter 11 (Subchapter V)

Case No. 22-16159

Judge: Hon. Christine M. Gravelle

**ORDER GRANTING FIRST INTERIM APPLICATION OF FOX ROTHSCHILD LLP
AS COUNSEL TO THE DEBTOR FOR ALLOWANCE OF COMPENSATION FOR
PROFESSIONAL SERVICES RENDERED AND REIMBURSEMENT OF EXPENSES
INCURRED FOR THE PERIOD FROM AUGUST 3, 2022 THROUGH OCTOBER 31, 2022**

The relief set forth on the following page numbered 2 is hereby **ordered**.

DATED: January 3, 2023

Honorable Christine M. Gravelle
United States Bankruptcy Judge

Page 2 of 2

In re: Assuncao Bros., Inc.

Case No: 22-16159 (CMG)

TITLE: ORDER GRANTING FIRST INTERIM APPLICATION OF FOX ROTHSCHILD LLP AS COUNSEL TO THE DEBTOR FOR ALLOWANCE OF COMPENSATION FOR PROFESSIONAL SERVICES RENDERED AND REIMBURSEMENT OF EXPENSES INCURRED FOR THE PERIOD FROM AUGUST 3, 2022, THROUGH OCTOBER 31, 2022

The Court having found that the person(s) named below filed application(s) for allowances; and notice and opportunity for hearing were given to creditors and other parties in interest as required; and for good cause shown; it is

ORDERED, that the compensation and expenses are allowed as follows:

<u>APPLICANT</u>	<u>FEES</u>	<u>EXPENSES</u>
Fox Rothschild LLP Counsel to the Debtor	\$214,957.50	\$7,475.93

IT IS FURTHER ORDERED, that Fox Rothschild LLP be and herby is authorized to apply the Retainer (as defined in the Application) to reduce the awarded fees and expenses.

IT IS FURTHER ORDERED, that the Debtor shall pay the above amount, net of the Retainer, to Applicant forthwith, except that the sum of \$5,000.00 shall be held back by the Debtor pending the Court's approval of a final fee application on behalf of Fox Rothschild LLP, and subject to the United States Trustee's right to object to same.

IT IS FURTHER ORDERED, that notwithstanding the entry of this Order or anything set forth herein or in the Application, NGM Insurance Company's ("NGM") claims and rights against Fox Rothschild LLP, if any, as a transferee of any trust funds are preserved, and nothing herein shall affect such rights and claims. The rights and defenses of Fox Rothschild LLP with respect to any rights and claims preserved for NGM under this paragraph are preserved.

In re:
Assuncao Bros., Inc.
Debtor

Case No. 22-16159-CMG
Chapter 11

District/off: 0312-3
Date Rcvd: Jan 03, 2023

User: admin
Form ID: pdf903

Page 1 of 3
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol **Definition**

+ Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 05, 2023:

Recip ID	Recipient Name and Address
db	+ Assuncao Bros., Inc., 29 Wood Avenue, Edison, NJ 08820-3503

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jan 05, 2023

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 3, 2023 at the address(es) listed below:

Name	Email Address
Allen J Barkin	on behalf of Creditor Nobel Equipment & Supplies Inc. abarkin@sbmesq.com, sandyr@sbmesq.com
Charles Allen Yuen	on behalf of Creditor Wiggins Plastics Inc. cyuen@cyuen-law.com
Charles Allen Yuen	on behalf of Creditor Knickerbocker Bed Company cyuen@cyuen-law.com
Curtis M Plaza	on behalf of Creditor Manasquan Bank cplaza@riker.com sdechoyan@riker.com
Douglas G. Leney	on behalf of Interested Party Lisa Assuncao dleney@archerlaw.com ahuber@archerlaw.com
Douglas G. Leney	on behalf of Interested Party Martin Assuncao dleney@archerlaw.com ahuber@archerlaw.com

District/off: 0312-3

User: admin

Page 2 of 3

Date Recd: Jan 03, 2023

Form ID: pdf903

Total Noticed: 1

Edward H. O'Hare

on behalf of Creditor HEAVY AND GENERAL LABORERS' FUNDS OF NEW JERSEY eohare@zazzali-law.com

Eric R. Perkins

on behalf of Creditor Black Rock Enterprises LLC eperkins@becker.legal
tcolombini@becker.legal;mambrose@becker.legal;jlawrence@becker.legal

Eric R. Perkins

on behalf of Creditor Horizon Blue Cross Blue Shield of New Jersey eperkins@becker.legal
tcolombini@becker.legal;mambrose@becker.legal;jlawrence@becker.legal

Fleming Ware

on behalf of Creditor Komatsu Financial Limited Partnership fware@vedderprice.com

Gary D. Bressler

on behalf of Creditor NGM Insurance Company gressler@mdmc-law.com
scarney@mdmc-law.com;dprimack@mdmc-law.com;bkleban@mdmc-law.com

John R. Morton, Jr.

on behalf of Creditor AmeriCredit Financial Services Inc. dba GM Financial ecfmail@mortoncraig.com,
mortoncraigcf@gmail.com

John R. Morton, Jr.

on behalf of Creditor Santander Consumer USA Inc. dba Chrysler Capital ecfmail@mortoncraig.com mortoncraigcf@gmail.com

Joseph A. Caneco

on behalf of Debtor Assuncao Bros. Inc. jcaneco@foxrothschild.com

Joseph J. DiPasquale

on behalf of Other Prof. KCP Advisory Group LLC jdipasquale@foxrothschild.com,
cbrown@foxrothschild.com;msteen@foxrothschild.com

Joseph J. DiPasquale

on behalf of Debtor Assuncao Bros. Inc. jdipasquale@foxrothschild.com,
cbrown@foxrothschild.com;msteen@foxrothschild.com

Joshua H. Raymond

on behalf of Creditor Middlesex County Utilities Authority jraymond@msbnj.com

Justin Baumgartner

on behalf of Creditor Horizon Blue Cross Blue Shield of New Jersey jbaumgartner@becker.legal mambrose@becker.legal

Justin Baumgartner

on behalf of Creditor Black Rock Enterprises LLC jbaumgartner@becker.legal mambrose@becker.legal

Louis A. Modugno

on behalf of Other Prof. Vollers Excavating and Contractors Inc. lmodugno@tm-firm.com

Margaret Mcgee

on behalf of U.S. Trustee U.S. Trustee maggie.mcgee@usdoj.gov

Michael A. Baselice

on behalf of Creditor IUOE Local 825 Benefit Funds mbaselice@decotislaw.com

Michael R. Herz

on behalf of Debtor Assuncao Bros. Inc. mherz@foxrothschild.com, cbrown@foxrothschild.com

Philip William Allogrimento

on behalf of Creditor County of Essex pallogrimento@connellfoley.com mcaggiano@connellfoley.com

Richard M. Schlaifer

on behalf of Creditor J.M. Ahle Co. Inc. rschlaifer@earpcohn.com, vbromley@earpcohn.com

Ryan Richard Sweeney

on behalf of Creditor Iron Workers District Council Philadelphia and Vicinity Benefit Funds rsweeney@cjtlaw.org

Ryan Richard Sweeney

on behalf of Creditor Iron Workers Local 11 Benefit Funds rsweeney@cjtlaw.org

Ryan Richard Sweeney

on behalf of Creditor Iron Workers Local 399 Benefit Funds rsweeney@cjtlaw.org

Scott Aaron Levin

on behalf of Creditor NGM Insurance Company slevin@mdmc-law.com

Scott S. Rever

srever@wjslaw.com

Scott S. Rever

on behalf of Trustee Scott S. Rever srever@genovaburns.com
srever@ecf.inforuptcy.com;dmendez@genovaburns.com;dmendez@ecf.inforuptcy.com

Seth Ptasiewicz

District/off: 0312-3

User: admin

Page 3 of 3

Date Rcvd: Jan 03, 2023

Form ID: pdf903

Total Noticed: 1

on behalf of Creditor Northeast Carpenters Benefit Funds sptasiewicz@krollfirm.com

Timothy P. Neumann

on behalf of Creditor Ralph Clayton & Sons LLC a/k/a Ralph Clayton & Sons and/or Clayton Concrete
timothy.neumann25@gmail.com, btassillo@aol.com;geoff.neumann@bnfsbankruptcy.com;geoff.neumann@gmail.com

U.S. Trustee

USTPRRegion03.NE.EDF@usdoj.gov

Vipin Varghese

on behalf of Creditor IUOE Local 825 Benefit Funds vvarghese@decotiislaw.com
kcaufield@decotiislaw.com;rmcgowan@decotiislaw.com;mdiaz@decotiislaw.com

Virginia T. Shea

on behalf of Creditor NGM Insurance Company vshea@mdmc-law.com gressler@mdmc-law.com

William E. Craig

on behalf of Creditor AmeriCredit Financial Services Inc. dba GM Financial ecfmail@mortoncraig.com,
mortoncraigecf@gmail.com

TOTAL: 37